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I homas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood IL 60430-1339

1 - 708-332-4381 F - 708-332-4361 tom healey@cn ca



March 14, 2008

VIA OVERNIGHT DELIERY

Surface Transportation Board ΛΤΤΝ Anne Quinlan, Acting Secretary 395 Γ Street, SW. Washington, DC 20424

Re Environmental Report, Historic Report and Required Certifications for Docket No AB-43 (Sub-No 181X),
Illinois Central Railroad Company — Notice of Exemption for Abandonment in Wickliffe, Ballard County, Kentucky

Dear Ms Quinlan

Illinois Central Railroad Company ("IC") intends to file a Notice of Exemption for the above-referenced proposed abandonment any time on or after April 7, 2008 Enclosed for the above-referenced Abandonment Exemption are the following documents, which are required by 49 C F R Part 1105

- 1 An original and ten copies of the Environmental/Historic Report
- 2 An original and ten copies of the transmittal letter that accompanied the reports, and
- 3 An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C F R Part 1105

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed

Feel free to call me if you have any questions

Office of Proceedings

MAR 1 7 2008

Respectfully submitted,

Part of Public Record

Thomas J Healey

Attorney for Illinois Central Railroad Company

Encls

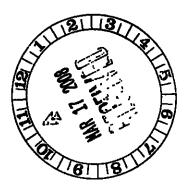


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I homas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca



March 14, 2008

Re: Illinois Central Railroad Company Notice of Exemption for Abandonment – Wickliffe, Ballard County, Kentucky - Docket AB-43 (Sub-No. 181X)

To Whom It May Concern

Any time on or after April 7, 2008, Illinois Central Railroad Company ("IC") expects to file with the Surface Transportation Board ("S IB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 364 54 and milepost 366 20, a distance of 1 66 miles, in Wickliffe, Ballard County, Kentucky Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D C 20423-0001, (202) 245-0245, and refer to the above docket number

IC will file the Environmental Report and Historic Report with the STB on or about March 14, 2008 Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address

Sincerely.

Thomas J Healey

Attorney for Illinois Central Railroad Company

Encls

Docket No AB-43 (Sub-No 181X)

ILLINOIS CENTRAL
RAILROAD COMPANY

NOTICE OF EXEMPTION FOR ABANDONMENT IN BALLARD COUNTY, KENTUCKY

To Anne Quinlan, Acting Secretary
Surface Transportation Board (STB)
395 E Street, SW
Washington, DC 20424

CERTIFICATE OF COMPLIANCE WITH 49 C F R PART 1105

I hereby certify that on March 14, 2008, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 CFR § 1105 7(b), all agencies consulted in preparing the reports, and on the Kentucky Department of Archives and History. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Illinois Central Railroad Company intends to file its Notice of Exemption in the above-captioned matter no earlier than April 7, 2008. All appropriate agencies as listed in 49 CFR § 1105 7(e) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on October 23, 2007 in *The Advance Yeoman*, a newspaper of general circulation in Ballard County. Kentucky The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B

Dated this 14th day of March. 2008

Thomas J Healey

Attorney for Illinois Central Railroad Company

Ms Lee Nalley Governor's Office for Local Development State Clearinghouse 1024 Capital Center Dr., Suite 340 Frankfort, KY 40601

Kentucky Department for Environmental Protection Paducah Regional Office 130 Eagle Nest Drive Paducah, KY 42003-9435

Mr David Kennedy, Director Office of Ocean and Coastal Resource Management NOAA Ocean Service 1305 East West Highway Silver Spring, MD 20910

Mayor Herbie Vance Wickliffe Court House PO Box 276 Wickliffe, KY 42087

Ms. Cheryl Taylor, Commissioner Department of Environmental Protection 14 Reilly Road Frankfort, KY 40601 Mr Lee Andrews US Fish and Wildlife Service 330 W Broadway, Room 265 Frankfort, KY 40601

Civil Works Office
US Army Engineer District, Louisville
PO Box 59 [600 Dr Martin Luther King Pl]
Louisville, KY 40201-0059

Ms Deborah Calloway, Program Assistant National Park Service Southeast Region 100 Alabama Street. NW NPA/Atlanta Federal Center Atlanta, GA 30303

Mr. Michael Hubbs State Conservationist 771 Corporate Drive, Suite 210 Lexington, KY 40503

U S Geological Survey Kentucky Mapping Partnership Office 9818 Bluegrass Parkway Louisville, KY 40299 ¥

Mr Marc D Williams, P E Kentucky Department of Transportation 200 Mero Street Frankfort, KY 40622 Ms Donna Neary, Executive Director State Historic Preservation Office Kentucky Heritage Counsel 300 Washington Street Frankfort, KY 40601

Ms Vickie Viniard Judge/Executive PO Box 276, County Courthouse Wickliffe, KY 42087-0276 Mr Larry C Taylor, State Env Review Officer Environmental and Public Protection Cabinet 300 Fair Oaks Lane Frankfort, Kentucky 40601

Ms Katherine McCafferty, Regulations Specialist Department of the Army Corps of Engineers PO Box 489 Newburgh, Indiana 47629-0489

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Affidavit of Publication

THE WEST KENTUCKY NEWS; THE CARLISLE COUNTY NEWS; THE ADVANCE YEOMAN; THE LIVINGSTON LEDGER, THE PADUCAH BUSINESS JOURNAL AND THE TOURIST GUIDE

CN LAW
ILLINOIS CENTRAL
ATTN: REBECCA BOTT
17641 S. ASHLAND AVE
HOMEWOOD, IL 60430

Re: ILLINOIS CENTRAL LEGAL 10/23/07

This Affidavit of Publication is to notify you of ILLINOIS CENTRAL LEGAL which ran on 10/23/2007 in The Advance Yeoman

size 2x4 5

Total price \$72 00

Thank you for your business!

TERESA LENEAVE, OFFICE MANAGER

NOTARY

Terésa Sullivan LeNeave

On <u>7</u> day of NOV. <u>2007</u> My commission expires <u>JAN 2010</u> Pulling Given and alliants over a size that on or other temperature at 20%, is intended to the clusters of comparison at 20%, is intended to the clusters of comparison and the clusters of clusters of clusters and clusters are clustered and clusters are clustered and clusters are clustered and clusters are clustered and clusters and clustered an

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BEFORE THE SURFACE TRANSPORTATION BOARD

DOCKET NO AB-43 (SUB-NO 181X)

ILLINOIS CENTRAL RAILROAD COMPANY
-- ABANDONMENT EXEMPTION -IN WICKLIFFE, BALLARD COUNTY, KENTUCKY

ENVIRONMENTAL/HISTORIC REPORT

Illinois Central Railroad Company. ("IC") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C F R §§1105 7 and 1105 8 Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

l Proposed Action and Alternatives IC seeks to abandon its line of railroad extending from milepost 364 54 to milepost 366.20 in Wickliffe, Kentucky (the "Line") The Line is situated in Ballard County, Kentucky and extends a total distance of approximately 1 66 miles

The Line has not been required to serve any customer in many years. The Line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the proposed abandonment. There have been no rail

¹ Given that the track always paralleled IC's historic main line, it did not provide access to any new shippers upon acquisition by IC, and has been operated by IC as a passing siding for several decades, there is some legitimate question whether abandonment authority or an exemption therefrom is needed prior to removal of the track IC is making this filing out of an abundance of caution

shipments of any kind on the Line in the last two years, and no reasonable possibility for the development of new rail traffic exists

Following abandonment, IC intends to salvage rail, ties and track materials from the Line

There are also three bridges which will be removed

No alternatives to the proposed abandonment have been considered. A map showing the location of the Line is attached herein as **Appendix A**

IC has contacted and requested comments from the State Clearinghouse, Governor's Office for Local Development See correspondence attached herein as **Appendix B**. There have been no comments to date.

IC has contacted and requested comments from the Mayor of Wickliffe See correspondence attached herein as Appendix C. There have been no comments to date. IC has also sent correspondence to the Executive at Ballard County Courthouse requesting comments. See correspondence attached herein as Appendix D. There has not yet been any comments.

Transportation System IC does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line.

IC has contacted and requested comments from the State of Kentucky Department of Transportation See correspondence attached herein as **Appendix E** The Department has responded that the proposed abandonment will have no adverse effects to the community

3 <u>Land Use</u>

- (1) IC does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the US Geological Survey See correspondence attached herein as **Appendix F** The office has not responded to date
- County, Kentucky The Natural Resource Conservation Service (NRCS) has been contacted and comments requested. See correspondence attached herein as Appendix G. The NRCS has provided a map showing the locations of two Wetland Reservation Programs, and have asked IC not to disrupt these Programs during salvage operations.
- (iii) IC believes that this track does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. IC has requested comments from the Office of Ocean and Coastal Resource Management but has received no comments to date Sec correspondence attached as **Appendix H.**
- (iv) IC is not aware of any alternative public use under 49 U S C § 10905 for which the right-of-way of this track would be suitable

4 Energy

- (1) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and IC foresees little or no possibility that such on-line traffic would develop in the future.
- (ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line for many

years (if ever), and IC foresees little or no possibility that any online recyclable commodity traffic would develop in the future

- (iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.
- (iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers

5 Air

- (1) Not applicable Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment
- (ii) Not applicable Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C F R §1105 7(e)(5)(ii)(A), (B) or (C)
- (111) Not applicable This is an abandonment of a line on which there have been no customers for at least two years and there is no overhead traffic on the line
- 6 Noise Not applicable As indicated above, none of the thresholds identified in 49 C F R § 1105 7(e)(5)(i) will be exceeded as a result of the abandonment

7 Safety

(i) The proposed action will have no adverse effect upon public health or safety. During any salvage operations on the Line, precautions will be taken to ensure public safety.

- (11) Not applicable To IC's knowledge, no hazardous commodities were ever handled on this Line Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials
- (iii) To the best of IC's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, IC believes that its abandonment will not have any adverse impact on this site.

8 Biological Resources

- requested comments See correspondence attached as **Appendix I** To date, we have not received comments from the Service IC will be mindful of the Wetlands identified in the correspondence received from NRCS.
- (11) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected IC has contacted and requested comments from the National Park Service. See correspondence attached herein as **Appendix J**. There has been no response to date

9 Water

(1) IC has contacted the Kentucky Department for Environmental Protection to determine whether the proposed abandonment is consistent with applicable federal, state and local water and air quality standards. See correspondence attached hereto as **Appendix K**. The Cabinet sent our correspondence to various departments within the State Review Process. The Division of Water did not comment on the project, but the Division of Waste Management and the Division for Air Quality provided comments. The Division of Waste Management stated that

- the IC in 1972 Subsequent to the merger, it has been operated as a passing siding IC's existing parallel main line will not be impacted by the proposed abandonment
- 3. <u>Photographs</u> Attached as **Appendix N** are color photographs of the bridges located on this Line. These photographs have been provided to the State Historic Preservation Officer ("SHPO") within the Kentucky Heritage Counsel.
- 4 <u>Information on Structures</u> There are three bridges located within the proposed Line abandonment. These timber bridges were built in the late 1800's and re-built in the 1930's
- 5 <u>History of Operations</u> Running 102 miles north from Jackson. Tennessee to East Cairo, Kentucky, is the Cairo District. This is where the former GM&O main line from St. Louis to Jackson. Tennessee met. The Cairo district opened on December 24, 1873 with the arrival of the first through passenger train.
- 6 Engineering Documents IC will make available any relevant engineering documents in its possession
- Historic Criteria As noted above, there are three timber bridges located within the proposed abandonment. IC has contacted and given notice of the proposed abandonment to The State Historic Preservation Office within the Kentucky Heritage Counsel. See correspondence attached as Appendix O. The SHPO has informed IC that they believe the three timber bridges may potentially be eligible for listing in the National Register of Historic Places. Correspondence attached as Appendix P. IC has provided subsequent correspondence to the SHPO attached here as Appendix Q. No further response has been received.

8 <u>Ground Disturbances</u> IC is unaware of any possibility that archaeological resources may be in the area Access to the line is generally good

Dated 3-(4, 2008)

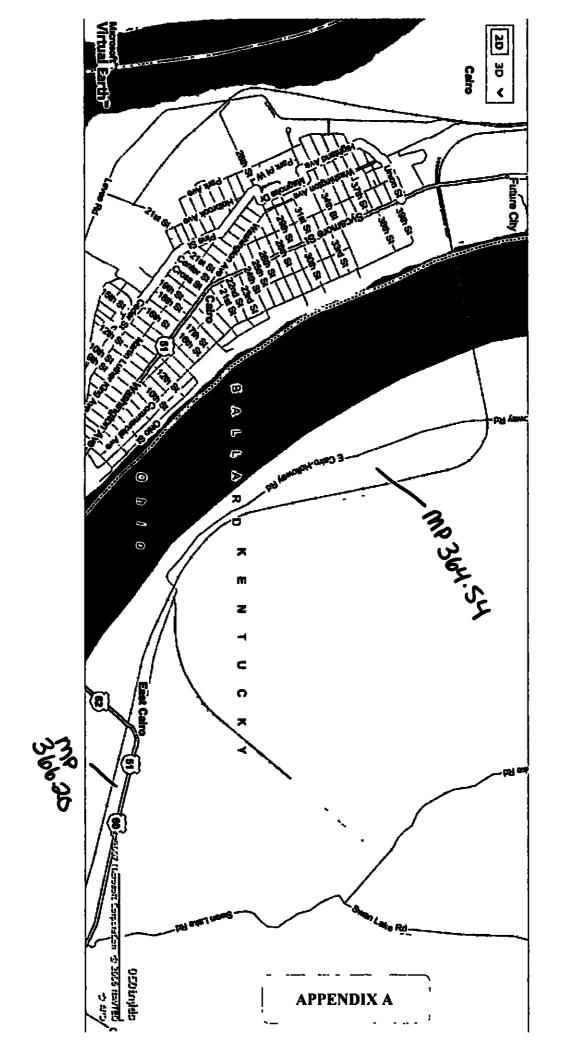
Respectfully submitted,

Thomas J Healey

Attorney for the Illinois Central Railroad Company

17641 South Ashland Avenue Homewood. IL 60430-1345 Telephone 708-332-4381

Fax 708-332-4361





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Thomas J Healey Counsel - Regulatory

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T - 708-332-4381 F - 708-332-4361 tom healev@cn ca

September 25, 2007

Ms Lee Nalley Governor's Office for Local Development State Clearinghouse 1024 Capital Center Dr , Suite 340 Frankfort, KY 40601

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Ms Nalley

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following

- 1 Water quality.
- 2 Designated wetlands,
- 3 100-year-old flood plains.
- 4 Endangered or threatened species.
- 5 Critical habitats.
- Wildlife sanctuaries or refuges, 6
- 7 National or state parks or forests,
- 8 Coastal zone management,
- Soil and natural resource conservation, 9
- 10 Agricultural land,
- Regional and/or local use plans, and 11
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB We intend on filing the Environmental Report in four weeks

Thank you for your assistance

Very truly yours,

Thomas J Healev Counsel for Illinois Central Railroad Company Encl



Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Mayor Herbie Vance Wickliffe Court House PO Box 276 Wickliffe, KY 42087

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mayor Vance

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.66 miles of railroad line starting at MP 364.54 and ending at MP 366.20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company



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Thomas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

February 12, 2008

Ms Vickie Viniard Judge/Executive PO Box 276, County Courthouse Wickliffe, KY 42087-0276

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Ms Viniard

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance

Very truly yours.

Thomas J Healey

Counsel for Illinois Central Railroad Company

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Thomas J Healey
Counsel - Regulatory

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T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Mr Bill Nighbert, Secretary Kentucky Department of Transportation 200 Mero Street Frankfort, KY 40622

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mr Nighbert

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company



TRANSPORTATION CABINET

Ernie Fletcher Governor

Frankfort, Kentucky 40622 www kentucky gov Bili Nighbert Secretary

Marc Williams Commissioner of Highways

October 22, 2007

Mr. Thomas J. Healey Counsel-Regulatory 17641 South Ashland Avenue Homewood, Illinois 60430-1339

Dear Mr. Healey:

The Department of Highways was asked to address your recent correspondence and request for a written response regarding the Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Kentucky, (Ballard County), AB-43 (Sub-No. 181X). Our District 1 Office reviewed the Illinois Central Railroad Company's proposed abandonment of approximately 1.66 miles of railroad line starting at MP 364.54 and ending at MP 366.20 in Ballard County, Kentucky.

After reviewing the proposed action, we concluded that this abandonment will have no significant impacts to the quality of the natural environment or the rail transportation network in Kentucky. We believe that the public interest is served by the implementation of the proposed action.

Thank you for bringing this matter to our attention for comment. Please don't hesitate to contact Mr. Jim LeFevre, Executive Director of the District 1 Office in Paducah, at 270-898-2431 if you would like to discuss this matter further.

Shirele

Marc D. Williams, P.E. Commissioner of Highways

MDW/DCC

c: Bill Nighbert, Secretary of Transportation
Marcie Mathews, State Highway Engineer
Jim LeFevre, Executive Director—Paducah/District 1





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Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

U S Geological Survey Kentucky Mapping Partnership Office 9818 Bluegrass Parkway Louisville, KY 40299

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Sir or Madam

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company



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Thomas J Healey Counsel - Regulatory

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T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Mr Michael Hubbs State Conservationist 771 Corporate Drive, Suite 210 Lexington, KY 40503

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mr Hubbs

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company

United States Department of Agriculture



Natural Resources Conservation Service 771 Corporate Drive, Suite 210 Lexington, KY 40503

September 25, 2007

Mr Thomas J Healey Counsel-Regulatory 17641 S Ashland Avenue Homewood, IL 60430

RE Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mr Healey

The USDA-Natural Resources Conservation Service (NRCS) reviews proposed projects for potential impacts to prime farmland soils, farmlands of statewide importance, and Wetland Reserve Program (WRP) sites The project referenced above appears to be very close to two WRP sites in Ballard County Enclosed is a map showing the location of these two WRP sites in proximity to the proposed action NRCS would expect that these two wetland properties are not impacted during the abandonment of the railroad line Access across the WRP-encumbered parcels to the railroad line for any work associated with the proposed action is not authorized without written authorization from this office

If there are farmlands in or adjacent to the project site, notification of farmland conversion may be warranted If a project impacts farmlands and if federal dollars are to be used to convert important farmlands from agricultural uses to non-agricultural uses, a Form AD-1006 (or Form NRCS-CPA-106 if the project is a corridor type project) must be submitted to the local NRCS office. These forms may be obtained from the local NRCS office and are also available as electronic forms on the web at http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006 PDF and http://www.nrcs.usda.gov/programs/fppa/pdf_files/CPA106.pdf

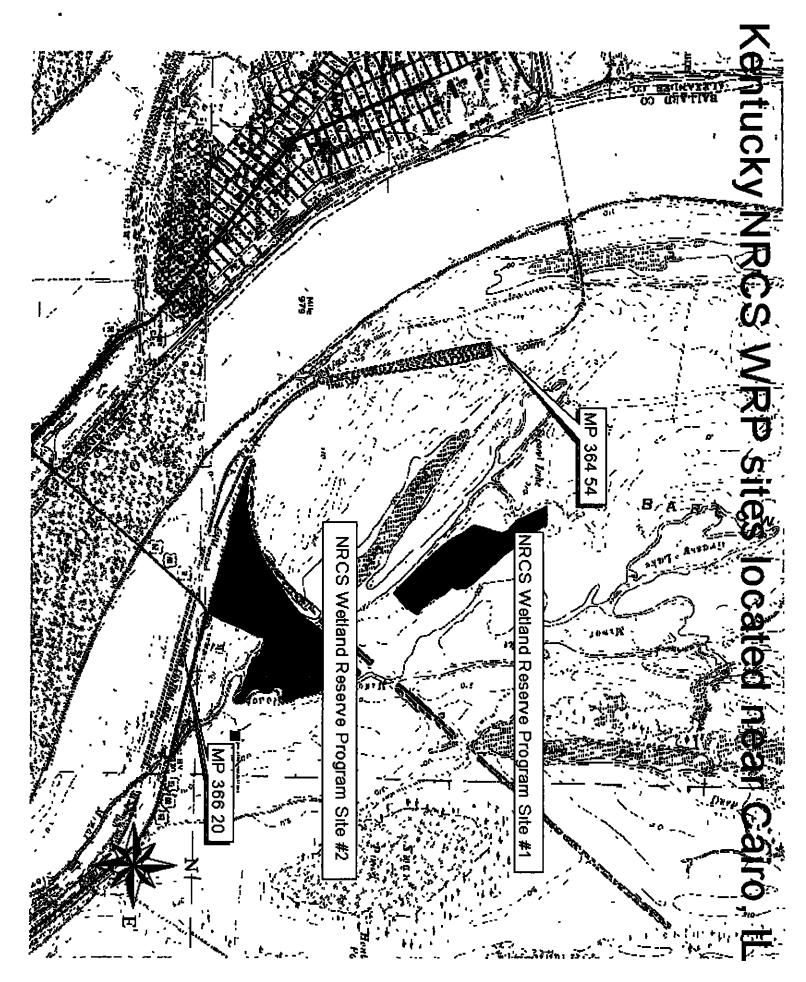
Questions regarding prime farmland soils and/or farmlands of statewide importance should be directed to Mark T Claxton, district conservationist, 347 Broadway, P O Box 387, LaCenter, KY 42056, phone 270-665-5945 Questions or concerns regarding the two WRP sites should be directed to Doug Hines, resource conservationist, 771 Corporate Drive, Suite 210, Lexington, KY 40503, phone 859-224-7364

Sincerely,

BBS FOX MICHAEL D HUBBS

State Conservationist

cc Gary J Reckner, Area Conservationist, Madisonville, KY Doug Hines, Resource Conservationist, Lexington, KY Mark Claxton, District Conservationist, LaCenter, KY





Law

Thomas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Mr David Kennedy, Director
Office of Ocean and Coastal Resource Management
1305 East West Highway
Silver Spring, MD 20910

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mr Kennedy

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

- 1 Water quality,
- Designated wetlands.
- 3 100-year-old flood plains.
- 4 Endangered or threatened species,
- 5 Critical habitats.
- 6 Wildlife sanctuaries or refuges.
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company



Law

Thomas J. Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Mr Lee Andrews US Fish and Wildlife Service 330 W Broadway, Room 265 Frankfort, KY 40601

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mr Andrews

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company



Law

Thomas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Ms Deborah Calloway, Program Assistant National Park Service, Southeast Region 100 Alabama Street, NW NPA/Atlanta Federal Center Atlanta, GA 30303

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Ms Calloway

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company
Encl

ł



www.cn.ca

Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Kentucky Department for Environmental Protection Paducah Regional Office 130 Eagle Nest Drive Paducah, KY 42003-9435

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Sir or Madam

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company

Encl

APPENDIX K



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher Governor

DEPARTMENT FOR ENVIRONMENTAL PROTECTION
300 FAIR OAKS LANE
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-2150
FAX (502)564-4245
www dep ky gov

Teresa J. Hill Secretary

Cheryl A. Taylor Commissioner

November 8, 2007

Thomas J Healey
Counsel – Regulatory
Illinois Central Regulatory Company
17641 S Ashland Avenue
Homewood, IL 60430-1339

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X) (SERO 2007-25)

Dear Mr Hans.

The Environmental and Public Protection Cabinet serves as the state coordinator for review of environmental documents generated pursuant to the National Environmental Pohey Act (NEPA) and state Executive Order 73-164 Within the Cabinet, the Commissioner's Office in the Department for Environmental Protection coordinates the review for Kentucky state agencies

The Kentucky agencies listed on the attached sheet have been provided an opportunity to review the above referenced report. Responses were received from 2 of the reviewing agencies that were forwarded a copy of the document. Comments were received from the Division of Waste Management and the Division for Air Quality.

If you should have any questions, please contact me at (502) 564-2150, ext 112

Sincerely,

Daily C Taylor

State Environmental Review Officer

Enclosures



COMMONWEALTH OF KENTUCKY STATE ENVIRONMENTAL REVIEW PROCESS

Project Number: SERO 2007 -25

Scoping Document

Project Title:

Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

The following Commonwealth of Kentucky agencies make up the State Environmental Review Process. Their response is listed below. Agencies that did not receive the document for review or did not respond are also noted

REVIEWING AGENCIES:	RESPONSE:
Division of Water	NO COMMENT
Division of Waste Management	COMMENTS ATTACHED
Division for Air Quality	COMMENTS ATTACHED
Department for Public Health	Not Sent for Review
Cabinet for Economic Development	Not Sent for Review
Division of Forestry	Not Sent for Review
Department of Parks	Not Sent for Review
Department of Agriculture	Not Sent for Review
Nature Preserves Commisssion	Not Sent for Review
Kentucky Heritage Council .	Not Sent for Review
Division of Conservation	Not Sent for Review
Department for Natural Resources	Not Sent for Review
Department of Fish and Wildlife Resources	Not Sent for Review
Transportation Cabinet .	Not Sent for Review
Department for Military Affairs	Not Sent for Review

Division of Waste Management Comments

Project Number: SERO 2007-25

Any solid waste generated by this project must be disposed at a permitted facility

Division for Air Quality Comments

Kentucky Division for Air Quality Regulation 401 KAR 63:010 Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. Please note the Fugitive Emissions Fact Sheet located at http://www.air.ky.gov/homepage_repository/e-Clearinghouse.htm

Kentucky Division for Air Quality Regulation 401 KAR 63:005 states that open burning is prohibited. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Fact Sheet located at http://www.air.ky.gov/homepage_repository/e-Clearinghouse.htm

The Division also suggests an investigation into compliance with applicable local government regulations



Law

Thomas J Healey Counsel - Regulatory

17641 S Ashiand Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Civil Works Office
US Army Engineer District, Louisville
PO Box 59 [600 Dr Martin Luther King Pl]
Louisville, KY 40201-0059

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Sir or Madam

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

- 1 Water quality,
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- 7 National or state parks or forests.
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- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company



DEPARTMENT OF THE ARMY

U S ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
REGULATORY BRANCH, WEST SECTION
P O Box 489
NEWBURGH, INDIANA 47629-0489
FAX (812) 858-2678
http://www.iri.usacs.army.mil
November 9, 2007

Operations Division Regulatory Branch (West) ID No. LRL-2007-1325-kam

Mr. Thomas J. Healey Counsel - Regulatory Illinois Central Railroad Company 17641 S. Ashland Ave. Homewood, IL 60430-1339

Dear Mr. Healey:

This is in regard to your letter of September 25, 2007 concerning a proposal to abandon 1.66 miles of railroad track in Ballard County, KY.

This determination is approved based on the information provided by you. It does not appear that a Department of the Army permit will be needed since the activity that you propose would not result in the placement of fill in any "waters of the United States (U.S.)." "Waters of the U.S." include all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce. This determination is valid for a period of five years from the date of this letter unless new information warrants revision of the determination before the expiration date.

If the project would recessitate the discharge of dredged or fill material into "waters of the U.S.," including wetlands, plans should be submitted for our review.

Our comments on this project are limited to only those effects which may fall within our area of jurisdiction and thus does not obviate the need to obtain other permits from state or local agencies. Lack of comments on other environmental aspects should not be construed as either concurrence or nonconcurrence with stated environmental effects.

If we can be of any further assistance, please contact us by writing to the above address, ATTN: CELRL-OP-FW, or call me at 812-853-9713. Any correspondence on this matter should refer to our ID Number LRL-2007-1325-kam.

Sincerely,

Katherine A. McCafferty Regulatory Specialist Regulatory Branch

Kathanino B.M Caffert

Copy furnished:

Mr. Bernard Killian
Director
Permits Section
Environmental Protection Agency
1020 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9676

McCafferty/CE-LRL-OP-FW/noperm.doc



Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Ms Cheryl Taylor, Commissioner Department of Environmental Protection 14 Reilly Road Frankfort, KY 40601

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Ms Taylor

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1 66 miles of railroad line starting at MP 364 54 and ending at MP 366 20 in Ballard County, Kentucky The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following.

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Thank you for your assistance

Very truly yours,

Thomas J Healey
Counsel for Illinois Central Railroad Company

Encl



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Ernie Fletcher Governor Department for Environmental Protection
Division of Waste Management
14 Reilly Road
Frankfort, Kentucky 40601-1190
www kentucky gov

Teresa J. Hill Secretary

October 19, 2007

Mr Thomas J Healey Counsel for Illinois Central Railroad 17641 S Ashland Ave Homewood, Illinois 60430-1339

RE Illinois Central Railroad Company
Proposed Abandonment AB-43 (Sub -No 181-X)
Ballard County

Dcar Mr Healey

The Kentucky Division of Waste Management has reviewed your letter dated September 25, 2007. The Division has the following comments regarding the proposed abandonment and its potential affect on the human health and environment.

- The owner will have to comply with 401 KAR Chapter 42 regarding permanent closure of any Underground Storage Tanks (UST) This rule incorporates 40 CFR Part 280 by reference, but also has state forms and instructions
- 401 KAR 47 150, Section 1(4) and (5) allows the on-site disposal of construction and demolition wastes if the waste contains no leachable hazardous materials or asbestos Section 1(6) permits disposal of land clearing debris. The owner must meet the Environmental Performance Standards of 401 KAR 47 030, which is a general reference to state and federal environmental law and regulations. However, the owner should proceed with caution with this option because of past cases involving railroad ballast containing hazardous substances under CERCLA. Another option would be to contract with a local waste hauler to remove the material to a permitted contained or, if no hazardous substances are present, a construction-demolition debris landfill.
- Before leaving the site, the owner should remove any large, small or limited quantity hazardous wastes to a properly permitted site as regulated by 401 KAR Chapter 31 and 32 which incorporates 40 CFR Part 261 and 262 by reference



Mr Thomas J Healey Oct 19, 2007 Page 2

> Also before completing the abandonment, the owner should remove any petroleum products, spills, or any hazardous materials regulated per KRS 224 01-400, 224 01-405 and 40 CFR 302 Appendix A Illinois Central Railroad Company remains liable for any hazardous substances left from the abandonment

Should you have any questions concerning the comments, please contact Mr George Gilbert, P E at (502) 564-6716, extension 217

Sincerely,

R Bruce Scott, Director Division of Waste Management

RBS/GFG/gfg

c Paducah Regional Office Tony Hatton Rob Daniell Ron Gruzesky Fazi Sherkat April Webb Bridge at MP 366.10



Bridge at MP 366.10



Bridge at MP 365.40



Bridge at MP 365.40



Bridge at MP 365.40



Bridge at MP 365.90



Bridge at MP 365.90





Law

Thomas J Healey Counsel - Regulatory

17641 5 Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

September 25, 2007

Mr. David Morgan State Historic Preservation Officer Kentucky Heritage Counsel 300 Washington Street Frankfort, KY 40601

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No. 181X)

Dear Mr. Morgan

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.66 miles of railroad line starting at MP 364.54 and ending at MP 366.20 in Wickliffe, Ballard County, Kentucky. The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding. IC's existing parallel main line will not be impacted by the abandonment. For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in performing a historical review process. There are four bridges on this section of the line, built in the 1930's Photographs of these bridges are being taken. I will forward these photographs when they are made available to us.

Thank you for your assistance Please call me should you have questions.

Very truly yours,

Thomas J. Healey Illinois Central Railroad Company

Enc



Law

Thomas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

October 15, 2007

Mr. David Morgan State Historic Preservation Officer Kentucky Heritage Counsel 300 Washington Street Frankfort, KY 40601

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Mr. Morgan:

Illinois Central Railroad Company ("IC") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 1.66 miles of railroad line starting at MP 364.54 and ending at MP 366.20 in Wickliffe, Ballard County, Kentucky. The line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding IC's existing parallel main line will not be impacted by the abandonment For your convenience, we have attached a map for your reference. IC is advising you of the proposed action so you may assist us in performing a historical review process. There are three bridges on this section of the line, all timber structures, built in the 1930's. Photographs of each of these bridges are attached.

Thank you for your assistance Please call me should you have questions.

Very truly yours,

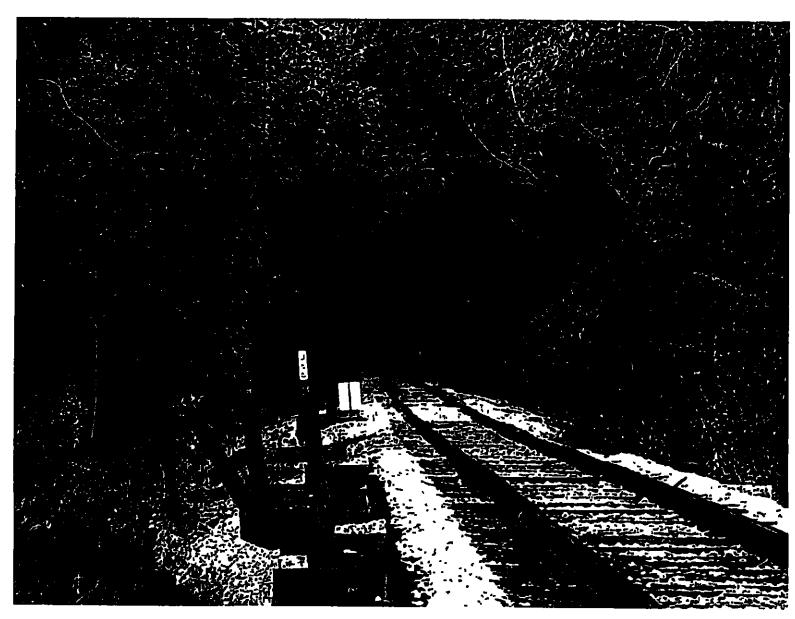
Thomas J Healey

Tw Hal

Illinois Central Railroad Company

Enc.

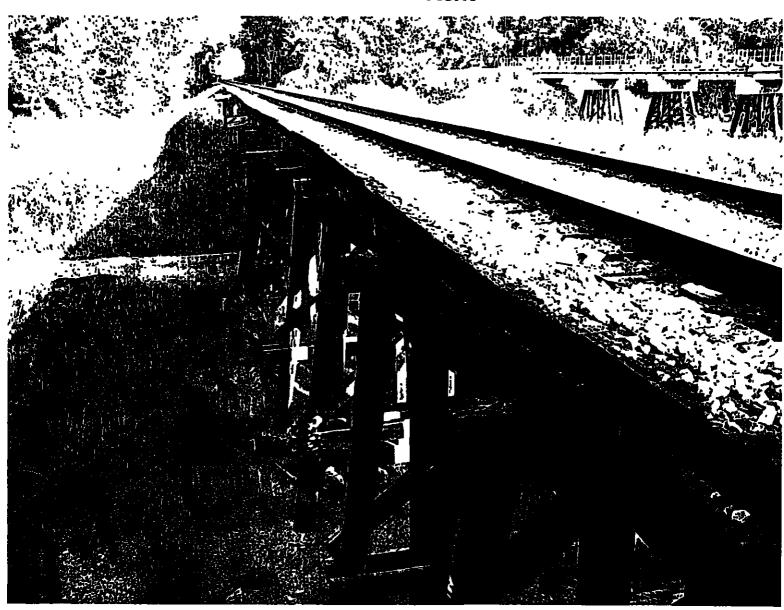
Bridge at MP 366.10



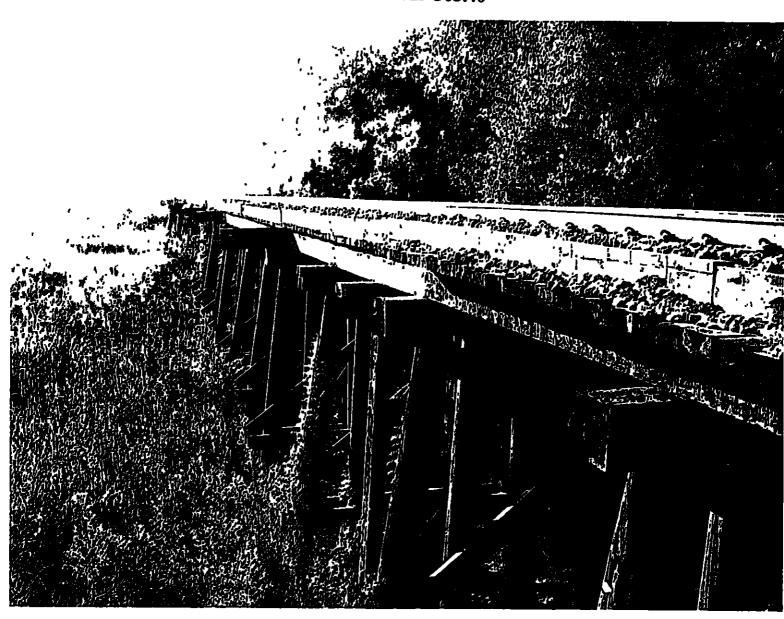
Bridge at MP 366.10



Bridge at MP 365.40



Bridge at MP 365.40



Bridge at MP 365.40

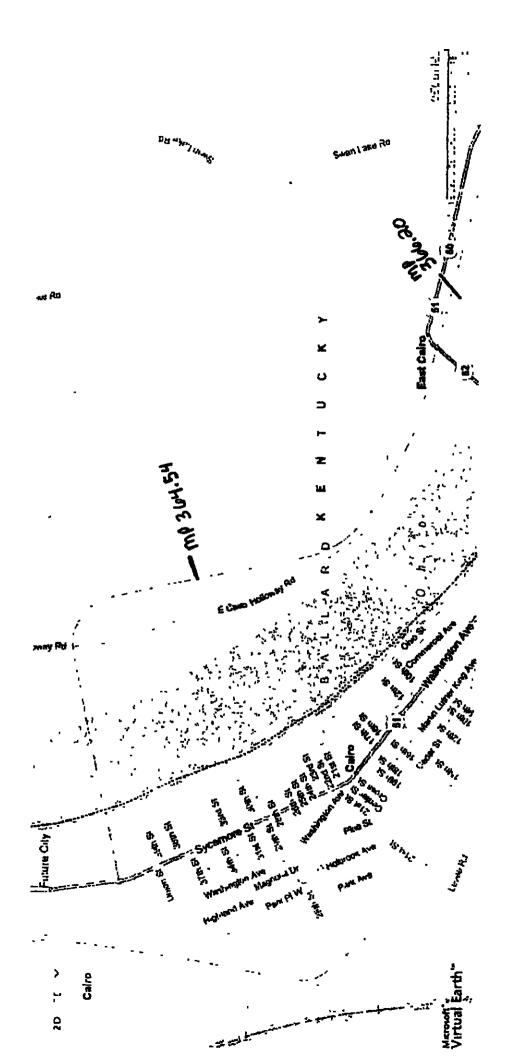


Bridge at MP 365.90



Bridge at MP 365.90







COMMERCE CABINET KENTUCKY HERITAGE COUNCIL

Ernie FletcherGovernor

The State Historic Preservation Office 300 Washington Street Frankfort, Kentucky 40601 Phone (502) 564-7005 Fax (502) 564-5820 www.kentucky.gov George Ward
Secretary

Donna M. Neary
Executive Director and

State Historic Preservation Officer

November 21, 2007

Mr Thomas J Healey
Illinois Central Railroad Company
17641 South Ashland Avenue
Homewood, IL 60430-1339

Re: Determination of Eligibility for Three Railroad Bridges, Illinois Central Railroad Proposed Abandonment, AB-43 (Sub-No. 181X) in Wickliffe, Ballard County, Kentucky

Dear Mr. Healey:

The State Historic Preservation Office has received your letter regarding a proposed abandonment in by Illinois Central Railroad Company in Ballard County, starting at MP 364.54 and ending at MP 366.20. There are three timber railroad bridges along this segment of line, all of which we believe are potentially eligible for listing in the National Register of Historic Places under Criterion A, for association with the development of the railroad in Kentucky At your earliest convenience, please advise this office on how the planned abandonment will impact these historic resources.

Should you have any questions about these comments, feel free to contact Janie-Rice Brother of my staff at (502) 564-7005, extension 121.

Sincerely,

Donna M Neary, Executive Difector Kentucky Heritage Council and

State Historic Preservation Officer

JRB jrb





Law

Thomas J Healey Counsel - Regulatory

17641 S Ashland Avenue Homewood, IL 60430-1339

T - 708-332-4381 F - 708-332-4361 tom healey@cn ca

December 7, 2007

Ms Donna Neary, Executive Director Kentucky Heritage Council and State Historic Preservation Officer 300 Washington Street Frankfort, KY 40601

Re Illinois Central Railroad Company Proposed Abandonment in Wickliffe, Ballard County, Kentucky, AB-43 (Sub-No 181X)

Dear Ms Neary

Illinois Central Railroad Company ("IC") is in receipt of your correspondence dated November 21, 2007, wherein you requested additional information with regard to our proposed abandonment between milepost 364.54 and ending at milepost 366 20. As we stated in our letter to David Morgan on October 15, 2007, this line was formerly the main line of the Gulf, Mobile and Ohio Railroad Company, which was merged with the IC in 1972. Subsequent to the merger, it has been operated as a passing siding IC's existing parallel main line will not be impacted by the abandonment

This track has not been required to serve any customers in many years. Therefore, following abandonment, IC intends to salvage rail, ties and track materials from the line. With the approval of the Surface Transportation Board, IC's Engineering Department would like to remove the three timber bridges

I am attaching copies of the photographs previously provided to Mr. Morgan, as well as a topographic map of the proposed abandonment site. Should you require any other documentation, please do not he sitate to call. Thank you.

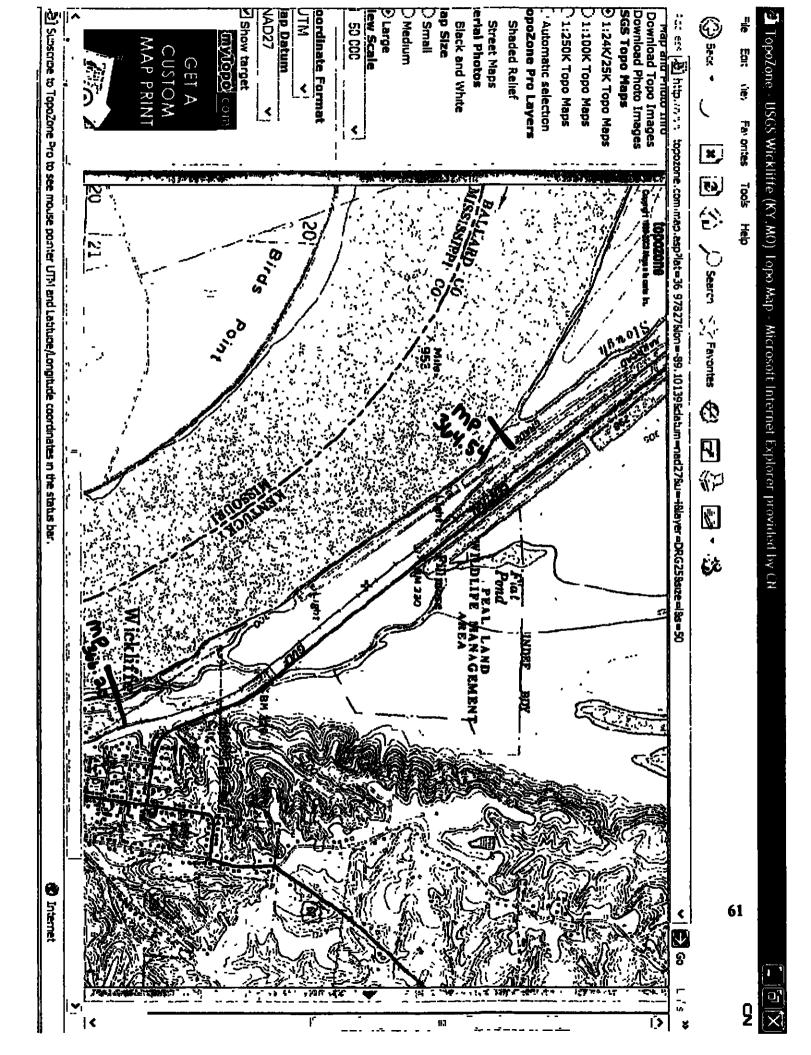
Very truly yours,

Thomas J Healey

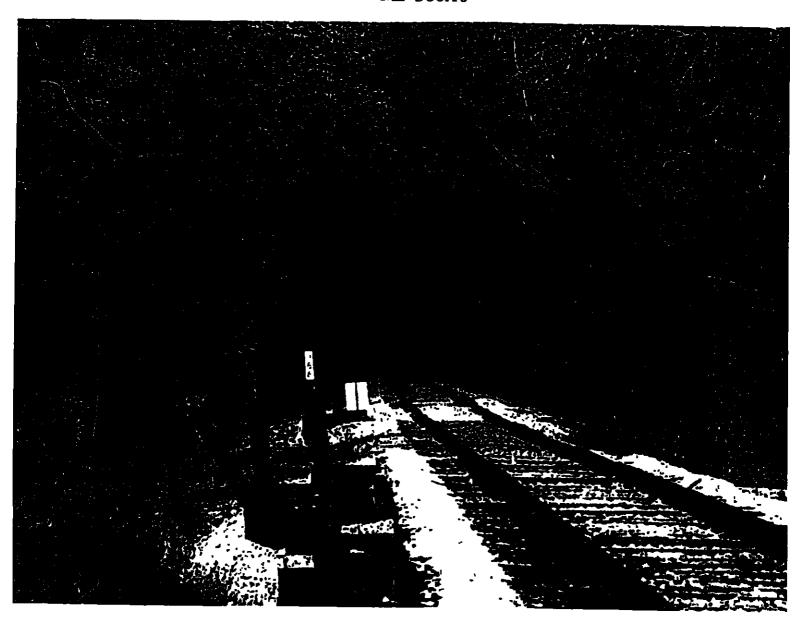
Illinois Central Railroad Company

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Enc



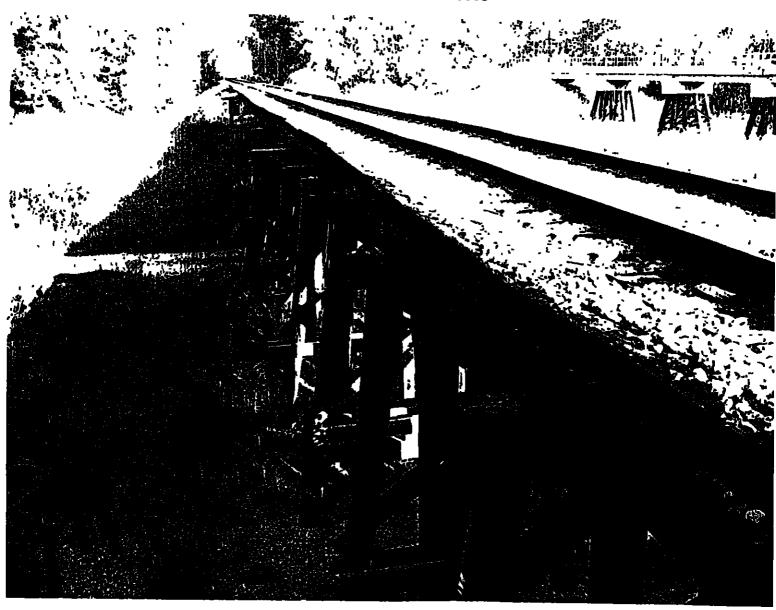
Bridge at MP 366.10



Bridge at MP 366.10



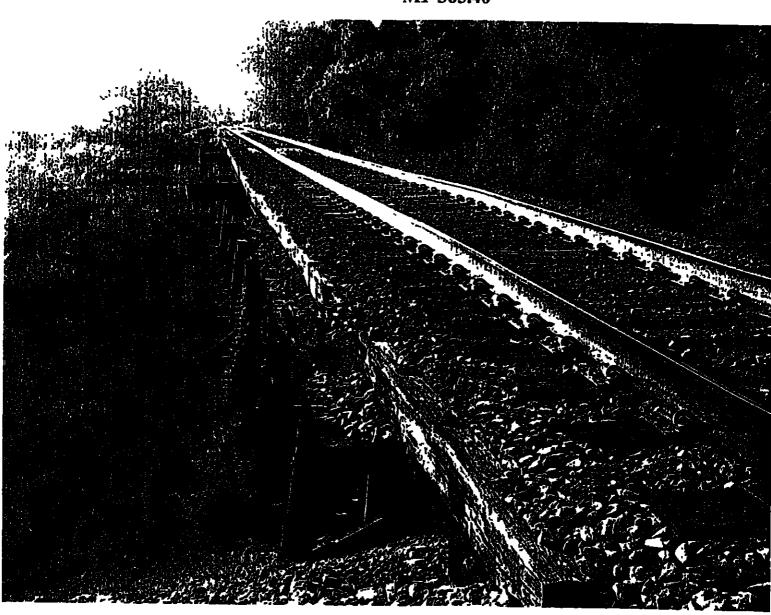
Bridge at MP 365.40



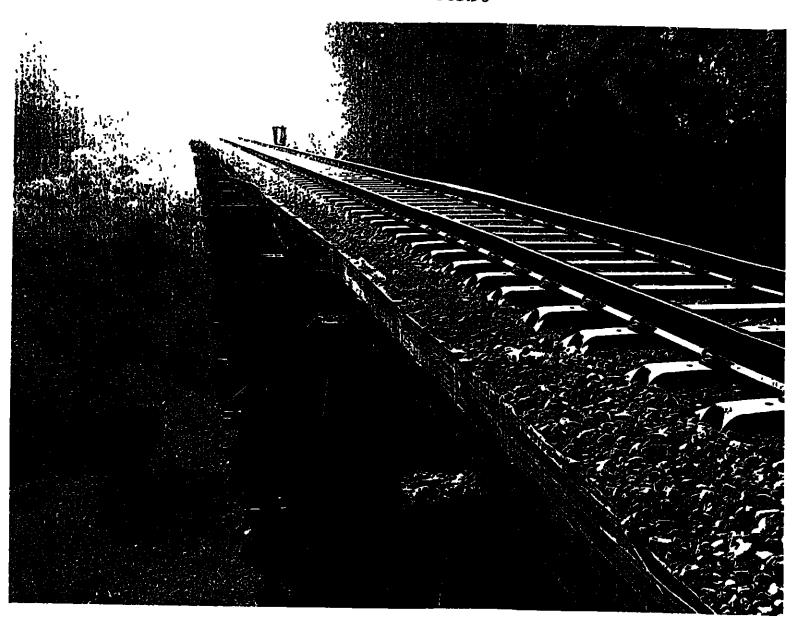
Bridge at MP 365.40



Bridge at MP 365.40



Bridge at MP 365.90



Bridge at MP 365.90

